

PATENTHP Docket No.: 10005619-1
App. Serial No. 09/809,150**IN THE CLAIMS**

1. (Currently Amended) A method for providing mediated services to a client device having a predetermined communication protocol and a predetermined display format comprising:

- (a) receiving a request for a web page from the client device;
- (b) sending the request to a merchant web site;
- (c) receiving the requested information from the merchant web site at a mediator;
- (d) transforming the information into the predetermined communication protocol and predetermined display format that is suitable for the client device at the mediator; and
- (e) sending the transformed information via a network to the client device from the mediator; and

(f) providing mediated shipping services; wherein the step of providing mediated shipping services includes

the client sending delivery information to a mediator;
the mediator directly providing the delivery information to a shipping
company and arranging for the shipping company to pick-up the merchandise from
the merchant;
wherein the client delivery information is not provided to the merchant.

2. (Original) The method of claim 1 further comprising:

(f) providing at least one mediated electronic commerce service for a merchant.

3. (Original) The method of claim 2 wherein the step of providing at least one electronic commerce service for the merchant includes one of shopping cart services, billing services, shipping services, and payment services.

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4. (Original) The method of claim 1 wherein the step of transforming the information into the predetermined communication protocol and predetermined display format that is suitable for the client device includes:

transforming the information into one of an HTTP communication protocol and WAP communication protocol.

5. (Original) The method of claim 1 wherein the step of transforming the information into the predetermined communication protocol and predetermined display format that is suitable for the client device includes:

transforming the information into one of a HTML display format and VML display format.

6. (Original) The method of claim 1 wherein the step of receiving the requested information from the merchant web site includes:

receiving information in one of a proprietary format, a mark-up language format, an XML format, and other format designed for exchanging information.

7. (Original) The method of claim 1 further comprising:

(f) providing mediated shopping services; wherein the step of providing mediated shopping services includes

the client device sending a request to add or delete items from a shopping cart; and

receiving the add or delete requests, and responsive thereto for updating a shopping cart record.

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8. (Original) The method of claim 1 further comprising:

(f) providing mediated payment services; wherein the step of providing mediated payment services includes

the client sending a purchase request to purchase one or more items in a shopping cart;

receiving the purchase request; and

responsive to the purchase request for updating a shopping cart record to reflect the purchase.

9. (Original) The method of claim 8 wherein the step of providing mediated payment services further includes

a client providing payment information to a mediator;

the mediator debiting a client's account; and

the mediator handling payment to a merchant;

wherein the account information of the client is not provided to the merchant.

Claims 10-20 (Cancelled).

21. (Previously Presented) The method of claim 1, wherein the step of receiving a request for a web page comprises receiving a request for a web page from the client device, wherein the request includes a request for product information from the merchant web site.

22. (Previously Presented) The method of claim 1, wherein a virtual identifier of the merchant web site is determined by passively interrogating a source, the source being

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operable to transmit or broadcast the virtual identifier to a client device in a predetermined range.

23. (Previously Presented) The method of claim 1, wherein a virtual identifier of the merchant web site is determined by scanning readable code.

Claims 24-27 (Canceled).

28. (Previously Presented) The method of claim 1, wherein transforming the information into the predetermined communication protocol and predetermined display format that is suitable for the client device at the mediator further comprises transforming the information into a plurality of different predetermined communication protocols and a plurality of different predetermined display formats for a plurality of clients based on a display format and a communication protocol used by each of a plurality of client devices.

29. (Previously Presented) The method of claim 28, wherein sending the transformed information via a network to the client device from the mediator further comprises sending the transformed information to the plurality of clients using the plurality of different predetermined communication protocols and the plurality of different predetermined display formats.

30. (Previously Presented) The method of claim 1, wherein receiving the requested information from the merchant web site at a mediator further comprises receiving the requested information in a generic display format from the merchant web site.

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Claims 1-9, 21-23, and 28-30 are pending of which claim 1 is independent. Claim 10 is canceled herein.

Claims 1-8, 10, 21-23, and 28-30 were rejected under 35 U.S.C. §102(b) as being anticipated by an ordinary e-commerce session and a user's home wireless network.

Claims 1, 8, and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Purcell (5,940,807).

These rejections are respectfully traversed for the reasons stated below.

PERSONAL INTERVIEW CONDUCTED

A personal interview was conducted with Examiner Fischer on June 28, 2005. The final rejection and allowable subject matter were discussed. No agreement was reached as to whether the finality of the final rejection was proper. Regarding allowable subject matter, Examiner Fischer indicated that possibly dependent claim 10 includes allowable subject matter, but a further search is needed. By this amendment, dependent claim 10 is combined with independent claim 1, and claim 1 is believed to be allowable.

Also, during the interview, Examiner Fischer provided the Applicants with copies of the following three references: "How The Internet Works" by Preston Gralla, "How Computers Work" by Ron White, and "How Networks Work" by Dorfler et al.

REJECTIONS UNDER 35 USC § 102

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed invention. As noted by the Court of Appeals for the Federal Circuit in *Lindemann*

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Maschinenfabrik GmbH v. American Hoist and Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1-8, 10, 21-23, and 28-30 were rejected under 35 U.S.C. §102(b) as being anticipated by an ordinary e-commerce session and a user's home wireless network.

Claim 1 has been amended to recite the features of claim 10, and claim 10 has been canceled. Claim 1 recites,

providing mediated shipping services; wherein the step of providing mediated shipping services includes

the client sending delivery information to a mediator;
the mediator directly providing the delivery information to a shipping company and arranging for the shipping company to pick-up the merchandise from the merchant;
wherein the client delivery information is not provided to the merchant.

The ordinary e-commerce session and a user's home wireless network used by the Examiner to reject claim 1 fails to teach the claimed mediated shipping services.

Claim 1 also recites,

transforming the information into the predetermined communication protocol and

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predetermined display format that is suitable for the client device at the mediator.

The Examiner alleges that a well known home wireless network includes a first computer and a Bastion Host and gateway server operating as a mediator. The Examiner alleges a client, such as the first computer in the home wireless network, sends a request to a merchant website via the Bastion Host and gateway server, and the Bastion Host and gateway server receives the requested information from the merchant web site at the Bastion Host and gateway server and converts the requested information from the merchant web site to an English language display format. The Bastion Host and gateway server sends the requested information in the English language display format to the client.

The Applicants respectfully disagree that a Bastion Host and gateway server converts the requested information from the merchant web site to an English language display format. Instead, the digital data received from the merchant web site at the Bastion Host and gateway server is simply passed to the client without the Bastion Host and gateway server converting the data to an English language display format. If this rejection is maintained, the Examiner must provide evidence of the conversion to an English language display format performed by the Bastion Host and gateway server as alleged in the rejection.

In addition, the ordinary e-commerce session and a user's home wireless network used by the Examiner to reject claim 1 fails to teach many of the features of the dependent claims. For example, claim 22 recites a virtual identifier of a merchant web site is determined by passively interrogating a source. Claim 23 recites a virtual identifier is determined by scanning readable code. These features are not taught.

Claims 1, 8, and 9 were also rejected under 35 U.S.C. §102(b) as being anticipated by Purcell. Purcell also fails to teach the mediated shipping services recited in claim 1.

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For at least these reasons claims 1-8, 10, 21-23, and 28-30 are believed to be allowable.

CONCLUSION

As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, the Applicants respectfully request issuance of a Notice of Allowability. If the undersigned attorney can assist in any matters regarding examination of this application, the Examiner is encouraged to call at the number listed below.

Respectfully submitted,

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By


Ashok K. Mannava
Registration No. 45,301

MANNAVA & KANG, P.C.
8221 Old Courthouse Road
Suite 104
Vienna, VA 22182
(703) 652-3822
(703) 880-5270 (facsimile)